

NOTE: CHANGES MADE BY THE COURT

JS-6

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

PANAVISE PRODUCTS, INC., a
Nevada corporation,
Plaintiff,

vs.

ALEX LEUNG, an individual d.b.a.
PINECOMPUTER.COM,
PINECOMPUTER, and/or PINE
COMPUTERS; ALAN LEUNG, an
individual d.b.a.
PINECOMPUTER.COM,
PINECOMPUTER, and/or PINE
COMPUTERS; and ELMER
LOYOLA, an individual d.b.a.
PINECOMPUTER.COM,
PINECOMPUTER, and/or PINE
COMPUTERS,
Defendants.

Case No.: **SACV11-00500 AG (RNBx)**
Assigned to Honorable Andrew
Guilford

Filed: April 1, 2011

**STIPULATED JUDGMENT AND
PERMANENT INJUNCTION**

1 Upon reviewing the Stipulation Re: Entry of Judgment and for Permanent
2 Injunction (“Stipulation for Judgment”) filed herein, the Court approves of said
3 Stipulation for Judgment, and therefore:

4 **JUDGMENT IN THIS MATTER IS ENTERED AS FOLLOWS:**

5 **A.** Defendants, ALEX LEUNG, an individual d.b.a.
6 PINECOMPUTER.COM, PINECOMPUTER, and/or PINE COMPUTERS
7 (“Defendant Alex”); ALAN LEUNG, an individual d.b.a.
8 PINECOMPUTER.COM, PINECOMPUTER, and/or PINE COMPUTERS
9 (“Defendant Alan”); and ELMER LOYOLA, an individual d.b.a.
10 PINECOMPUTER.COM, PINECOMPUTER, and/or PINE COMPUTERS
11 (“Defendant Elmer”) (collectively, “PineComputer and/or “Defendants”), and their
12 agents, employees, and shareholders, and those persons in active concert or
13 participation with any of them, *who have actual notice of this Judgment* are
14 permanently enjoined upon entry of this Stipulated Judgment and Permanent
15 Injunction from:

16 (1) Reproducing, copying, counterfeiting, colorably imitating or
17 otherwise using Plaintiff’s trade dress and patents, including without limitation
18 United States Patent No. D521850 (the “‘850 Patent”);

19 (2) Offering for distribution, distributing, offering for sale, or
20 selling any suction cup mounts whose design, appearance or trade dress so
21 resembles the distinctive design, appearance, or trade dress of Plaintiff’s suction
22 cup mounts as to likely cause confusion, mistake, or deception;

23 (3) Offering for distribution, distributing, offering for sale, selling,
24 advertising, publicizing or promoting any suction cup mounts whose design,
25 appearance or trade dress so resembles the distinctive design protected by the ‘850
26 Patent as to likely cause confusion, mistake, or deception;

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2 (4) Using in connection with Defendants' products any false or
3 deceptive designation, representation or description of Defendants' or their
4 products, whether by words, symbols, product design or appearance, or trade dress,
5 which would damage Plaintiff;

6 (5) Using any false designation of origin, false advertising, false
7 impression or false representation that tends to pass off Defendants' products as
8 those of Plaintiff in a way that is likely to cause confusion, or likely to deceive as
9 to the affiliation;

10 (6) Engaging in any acts of state or common law infringement or
11 unfair competition which injure or would tend to injure Plaintiff;

12 (7) Engaging in any unlawful acts causing injury to the business
13 reputation of Plaintiff or dilution of the distinctive quality of Plaintiff's product
14 design and appearance or trade dress;

15 (8) Trading upon or appropriating the goodwill and business
16 reputation of Plaintiff;

17 (9) Inducing, encouraging, aiding, abetting or contributing to any
18 of the aforementioned acts;

19 (10) Advertising, displaying at trade shows, marketing in literature
20 or on the internet or other promotion of any suction cup mounts whose design,
21 appearance or trade dress so resembles the distinctive design, appearance, or trade
22 dress of Plaintiff's suction cup mounts, including without limitation the '850
23 Patent, as to likely cause confusion, mistake, or deception; and

24 (11) Reproducing, copying, counterfeiting, colorably imitating or
25 otherwise using trademarks and service marks of Plaintiff, PANAVISE
26 PRODUCTS, INC. ("PanaVise Products" and/or "Plaintiff"), including without
27 limitation United States Trademark Registration No. 3,496,073.

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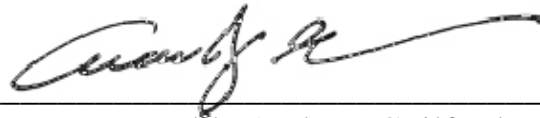
2 **B.** Compensatory damages, and attorneys' fees and costs in the sum of
3 \$5,000 are to be awarded to Plaintiff, PANAVISE PRODUCTS, INC. and against
4 Defendant, ALEX LEUNG, an individual d.b.a. PINECOMPUTER.COM,
5 PINECOMPUTER, and/or PINE COMPUTERS, and shall be paid in accordance
6 with the terms of the Settlement Agreement.

7 **C.** The Court retains continuing jurisdiction to enforce this Stipulated
8 Judgment and Permanent Injunction.

9 **D.** The Settlement Agreement remains in full force and effect.

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12 DATED: June 13, 2011

By:



Honorable Andrew Guilford
Judge of the United States District
Court